

Role of Regulation – Benefit or Battle



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Regulating Salt - Past History

Regulatory Tools –

- **Basin Plans**
 - **Numeric and Narrative Water Quality Objectives**
- **Setting limitations in WDR and NPDES permits**
- **TMDLs**

Regulating Salt – Past History

- **Limited data available for staff to interpret water quality objectives and implement the Basin Plans**
- **Over time, salt has become a more prominent issue for Regional Board**
- **Outcry from dischargers and others for doing too much or too little**

Regulating Salt – Current Status

- **Water Quality Plans**
- **Salt/Boron TMDL for Lower SJ River**
- **Irrigated Agriculture Waiver**
- **Existing Dairy General Order**
- **Implementation of stricter limits and requirements in permits**
- **Salt Guidance Memo for staff permit writers**

Regulating Salt 101-

How We Regulate Salt

- **Waste Discharge Requirements (WDRs)**
- **WDRs authorize waste discharge**
- **WDRs are our primary tools for regulating salt**

Regulating Salt 101-

How We Regulate Salt

WDRs can include

- limits on salt concentrations**
- limits on salt loads (amount of salt)**
- total prohibition of discharge**

WDRs can also require

- studies and reports**
- implementation of salt control practices**

WDRs Must Comply With Our Basin Plans

- **Basin Plans identify how we protect water quality**
- **Regulatory document**
 - **establish beneficial uses**
 - **establish numeric standards**
 - **prescribes an implementation plan**
 - **Actions and timetables**

Status of Our Basin Plans

**Most sections of our Basin Plans
addressing salt are over 30 years old
and must be updated !**

Regulating Salt – Future Outlook

- **Implement a regional salt management plan**
- **Must amend Basin Plans**
- **Collaborative process preferred**
- **Significant stakeholder participation and support needed**

Amending Our Basin Plans

Key questions to amend Plans

- What is the nature & extent of salt problem?
- How significant is the problem?
- What are the trends in surface water & groundwater?
- What needs to be done to protect future water quality?

Two Approaches to Amending the Basin Plan

- **Traditional Regional Board approach**
- **Stakeholder approach**
 - **Collaborative and integrated approach**

Traditional Basin Planning Approach

- Staff uses available data**
- Requires significant assumptions**
- Staff conducts scoping meetings**
- Staff develops amended plan and staff report**
- These documents subject to public review & comment**

Stakeholder Approach

- **Stakeholders work collaborative between groups and Regional Board**
- **Help frame, guide and manage project**
- **Conduct studies and provide resources**
 - **Before amendment drafted**

Advantages to Collaborative/Integrated Approach

- **Basin Plan - based on better data
- more effective**
- **Stakeholder involvement and control**
- **Better addresses all needs and concerns**
- **Protects water quality**
- **Utilize everyone's efforts & resources more
efficiently and effectively**

Traditional vs. Stakeholder

- **Stakeholder approach first alternative**
- **Monitor progress and achievement**
- **Failure to make significant progress within 18 to 24 months**
- **Staff will be directed to initiate and move forward with traditional basin planning amendment process**

Status of Collaborative/Integrated Approach

- **Salinity Policy Group and four committees established in 2006**
- **Committees meeting since March 2007**
- **Economic study almost completed**
- **Data gap study almost completed**
- **Salt video almost completed**

Status of Collaborative/Integrated Approach

- **Need to pick up the momentum**
- **Need to get more people involved**
- **Need your help**

What Can You Do?